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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,747	02/16/2001	John Rudolf Clark	13559.1US01	5532

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MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER	
HUYNH, THU V	

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/785,747	CLARK, JOHN RUDOLF	
	Examiner	Art Unit	
	Thu V. Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07/20/06*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18,22 and 23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18,22 and 23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: amendment filed on 07/20/06 to application filed on 02/16/2001.

2. Claims 1, 11, 22 are currently amended. Claims 19-21 are canceled.

3. Claims 1-18 and 22-23 are pending in this case. Claims 1, 11 and 22 are independent claims.

4. The objection of claim 5 because of the following informalities has been withdrawn as necessitated by the amendment.

5. Rejections in the previous office action have been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-4, 11-13, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach et al., US 6,026,433, patented 02/15/2000 in view of Sahota et al., US 2001/0056460 A1, priority filed 04/24/00.

Regarding independent claim 11, D' Arlach teaches the steps of:

- providing a database to store data describing at least one of the plurality of web page elements comprising the web page (D'Arlach, col.5, lines 1-13; col.6, lines 1-20; providing a database for storing templates, template elements, such as button, graphic and/or text elements, and data describing web page element, such as text label, graphics and/or link);
- retrieving a template based on the web page, the template comprising a plurality of template elements, each template element corresponding to one of the plurality of web page elements, each template element being selectable (D'Arlach, col.5, line 34 – col. 6, line 43; col.10, lines 12-21; and corresponding figures; user selects an existing web site to edit and "CGI program returns HTML forms to the server that allow the user to customize site". The user selects elements in the HTML form (template) or/and a page in the selected site to edit, change and update the selected web site or/and page. In order to edit a selected existing site, the HTML forms (templates) returned to the user (D'Arlach, Fig.5, box 516) must also be based on the selected existing site (e.g. its labels, graphics, links elements, etc.) In the other words, if the template returned to the user is not based on the selected existing site, he/she can never update the elements contained in the selected existing site and this functionality is useless); and
- redefining a web page element corresponding to a template element, in response to the template element being selected (D'Arlach, col.6, lines 1-43; col.10, lines 12-21, lines 51-53; the user is able to select a element in the template or a page in the selected web site to edit, change and update the selected web site).

D'Arlach teaches retrieving the template for the user. However, D'Arlach does not explicitly disclose creating the template from a web page.

Sahota teaches creating templates from web page (Sahota, [0079]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Sahota's teaching and D'Arlach's teaching, since the combination would have provided a template by retrieving from a database as well creating from the web page content.

Regarding claim 12, which is dependent on claim 11, D'Arlach teaches redefining a web page element comprises altering data describing the web page element stored in the database (D'Arlach, col.6, lines 1-20; updating the database and generating an updated page based on changing of text label, graphics or/and link label elements that submitted from the user).

Regarding claim 13, which is dependent on claim 11, D'Arlach teaches producing a semantic representation of the web page based in part upon the data stored in the database (D'Arlach, col.6, lines 54-60; customized web page is generated in graphics intensive and text-only versions).

Regarding independent claim 22, D'Arlach teaches the steps of:

- retrieving a template web page based on an existing web page, the template web page comprising a plurality of selectable template web page elements, each template web page element corresponding to one of the plurality of web page elements comprising

the existing web page (D'Arlach, col.5, line 34 – col. 6, line 43; col.10, lines 12-21; and corresponding figures; user selects an existing web site to edit and "CGI program returns HTML forms to the server that allow the user to customize site". The user selects elements in the HTML form (template) or/and a page in the selected site to edit, change and update the selected web site or/and page. In order to edit a selected existing site, the HTML forms (templates) returned to the user (D'Arlach, Fig.5, box 516) must also be based on the selected existing site (e.g. its labels, graphics, links elements, etc.) In the other words, if the template returned to the user is not based on the selected existing site, he/she can never update the elements contained in the selected existing site and this functionality is useless);

- displaying the template web page (D'Arlach, col.5, lines 34-65);
- selecting one of plurality of template web page elements, causing a prompt to appear that permits redefinition of the web page element corresponding to the selected template web page element (D'Arlach, col.6, lines 1-20; selecting element attributes to edit a label, graphic or link causing an option list for the chosen attribute is displayed that allows the user selects desired option and types in a specified attribute to edit, change or/and update the element); and
- redefining the web page element corresponding to the selected template web page element (D'Arlach, col.6, lines 1-20; selecting element attributes to edit a label, graphic or link causing an option list for the chosen attribute is displayed that allows the user selects desired option and types in a specified attribute to edit, change or/and update the element).

D'Arlach teaches retrieving the template for the user. However, D'Arlach does not explicitly disclose creating the template from a web page.

Sahota teaches creating templates from web page (Sahota, [0079]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Sahota's teaching and D'Arlach's teaching, since the combination would have provided a template by retrieving from a database as well creating from the web page content.

Regarding to independent claim 1, D'Arlach teaches a computer complex accessible to the at least one user via network (D'Arlach, page 7, lines 17-25), the computer complex having at least one processing node and at least one storage medium, wherein the at least one processing node is programmed to cooperate with the at least one storage medium (D'Arlach, fig.2) to provide the method of claim 11, and is rejected under the same rationale.

Claims 2-4 are for computer systems perform the method of claims 12, 13, 13 respectively, and are rejected under the same rationale.

8. Claims 5-6, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach in view of Sahota as applied to claim 4 above, and further in view of Bernardo et al., US 6,684,369 B1, filed 1998, and Miller et al., "Using the web for peer review and publication of scientific journals", published 09/1998, pages 1-10.

Regarding claim 5, which is dependent on claim 4, D'Arlach teaches the at least one processing node comprises:

- a processing node programmed to cooperated with at least one storage medium to provide the database and the first software module (D'Arlach, col.4, lines 11-28; col.6, lines 44-60; first type of HTML file in graphics intensive is generated); and
- a processing node programmed to cooperated with at least one of the at least one storage media to produce a semantic representation of a web page based in part upon the data stored in the database (D'Arlach, col.4, lines 11-28; col.6, lines 44-60; second type of HTML file in text only is generated).

D'Arlach does not explicitly disclose such processing nodes are first and second processing nodes.

Bernardo teaches a system for creating web sites at a server comprising different nodes for performing different functions (Bernardo, col.6, lines 62-67; col.18, lines 24-29; figures 25).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bernardo's teaching into D'Arlach's system to provide many processing nodes, since the combination would have provided a system with different processing nodes for performing functions that facilitate the user to create web sites. It is also noted that a server with many computers for storing and processing data was well known in the art at the time the invention was made to response clients requesting on the Internet.

Regarding claim 14, which is dependent on claim 11, D'Arlach does not explicitly teach transmitting an email if the data describing the web page element stored in the database has not been changed for a specific period of time.

Bernardo teaches transmitting an email to approver after a web page is created/edited (Bernardo, col.8, lines 15-27; col.9, lines 23-30; col.11, lines 2-7; col.23, lines 14-35); notifying a web site creator if a required one of the template data fields is not filled (Bernardo, col.27, lines 11-13).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bernardo's notifying module into D'Arlach's creating web site system to provide a collaborating system for creating web site that includes notifying module for emailing approvers when the web page created/edited, the combination would have facilitated the creation of web pages by "permitting collaboration and distributed authoring" as Bernardo disclosed in col.4, lines 13-17.

However, Bernardo does not explicitly disclose notifying web site creators if they do not create/edit the web pages that assigned to them in specific period of time.

Miller teaches publishing system includes automatic reminder module used to automatically notifying users who do not doing their job in specific period of time (Miller, pages 5-6, "Manuscript tracking: the nagging system").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Miller's automatic remainder module into Bernardo's and D'Arlach's system to automatically notifying web site creators if they do not create/edit the web pages that assigned to them in specific period of time, since the combination would have

facilitated the Bernardo's collaborating system to track activities of web site creators and automatically notifying them when their tasks are close to the due date as Miller disclosed in page 5, last line – page 6, first line.

Claim 6 is for computer system performs the method of claim 14, and is rejected under the same rationale.

9. Claims 7, 10, 15, 18, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach in view of Sahota as applied to claim 11 above, and further in view of Bernardo et al., US 6,684,369 B1, filed 1998.

Regarding claim 15, which is dependent on claim 11, D'Arlach does not explicitly teach transmitting an email if the data describing the web page element stored in the database has been changed.

Bernardo teaches transmitting an email to approver after a web page is created/edited (Bernardo, col.8, lines 15-27; col.9, lines 23-30; col.11, lines 2-7; col.23, lines 14-35).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bernardo's notifying module into D'Arlach's creating web site system to provide a collaborating system for creating web site that includes notifying module for emailing approvers when the web page created/edited, the combination would have facilitated the creation of web pages by "permitting collaboration and distributed authoring" as Bernardo disclosed in col.4, lines 13-17.

Regarding claim 18, which is dependent on claim 11, D'Arlach does not explicitly teach the limitation of claim 18.

Bernardo provides a tool for creating a web site using template on the Internet (Bernardo, col.2, lines 43 – col.3, lines 13) wherein the at least one user comprises at least two users, wherein the plurality of web page elements comprises a first set of web page elements and a second of web page elements (Bernardo, col.3, line 39 – col.4, line 17; col.7, lines 49-67; authorized content creators are prompted by the tool to select features and options desired for the web site), and wherein the method further comprises:

- permitting a first of the at least two users to redefine the first set of web page elements, but not the second set of web page elements (Bernardo, col.13, lines 18-32; col.21, line 60 – col.22, line 9; a user edits/creates specific area in the web site based on user's privilege); and
- permitting a second of the at least two users to redefine the second set of web page elements, but not the firs set of web page elements (Bernardo, col.13, lines 18-32; col.21, line 60 – col.22, line 9; a user edits/creates specific area in the web site based on user's privilege).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bernardo's teaching into D'Arlach's system to provide a collaborating system for creating web site that includes dynamic information, since the combination would have facilitated the creation of dynamic web pages by "permitting collaboration and distributed authoring" as Bernardo disclosed in col.4, lines 13-17.

Regarding claim 23, which is dependent on claim 22, D'Alarch does not explicitly teach wherein the template web page further comprises one or more non-selectable template web page elements.

Bernardo teaches a template web page comprises one or more non-selectable template web page elements (Bernardo, col.13, lines 18-32; col.21, line 60 – col.22, line 9; a user cannot edits/creates specific area in the web site if the user's privilege is not assigned to that area).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bernardo's teaching into D'Arlach's teaching for "facilitating the creation of web pages by permitting collaboration and distributed authoring" as Bernardo disclosed in col.4, lines 13-17.

Claims 7 and 10 are for computer systems perform the method of claims 15 and 18 respectively, and are rejected under the same rationale.

10. Claims 8-9, 16-17 remain rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach in view of Sahota as applied to claim 11 above, and further in view of Ferguson, US 5,649,186, patented 1997.

Regarding claim 16, which is dependent on claim 11, D'Arlach does not explicitly teach the limitations of claim 16.

Ferguson teaches news feeding process comprising the steps of:

- receiving an unprompted data transmission (Ferguson, col.5, lines 15-24; receiving an incoming documents via email);

- in response to reception of the unprompted data transmission, drawing data from the unprompted data transmission (Ferguson, col.5, lines 15-24; in response to reception of incoming documents via in the email, parsing and filtering such documents);
- storing at least a portion the data drawn from the unprompted data transmission in the database, thereby redefining at least one web page element (Ferguson, col.5, lines 15-24; storing the filtered documents for inclusion in an updated user's web page).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Ferguson's data feeding process into D'Arlach's web site creating system to publish dynamic web page, since the combination would have allowed the system automatically stored dynamic information and "making them available for possible inclusion in an en-user's page" as Ferguson disclosed in col.1, lines 51-53 and col.5, lines 21-22.

Regarding claim 17, which is dependent on claim 16, teaches receiving an unprompted data transmission comprises receiving an email (Ferguson, col.5, lines 15-24).

Claims 8-9 are for computer systems perform the method of claims 16-17 respectively, and are rejected under the same rationale.

Response to Arguments

11. Applicant's arguments with respect to claims 1-18 and 22-23 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that "D'Arlach fails to teach "poduc[ing] a template from the web page" as required by each independent claims 1, 11 and 22" (remark, page 7).

However, the combination of Sahota and D'Arlach teaches such limitation as explained in the rejection above.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sahota et al, US 2005/0108634 A1, priority filed 12/00, teaches method for transforming content for execution on multiple platforms.

Underwood et al., US 2006/0200751 A1, priority filed 02/00, teaches method for providing conditional customization for generating a web site.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thu V. Huynh
September 17, 2006